

# **EXHIBIT 5**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

MARTIN TROTT and CHRISTOPHER SMITH,  
as Joint Official Liquidators and  
Foreign Representatives of  
PLATINUM PARTNERS VALUE ARBITRAGE  
FUND L.P. (in Official Liquidation) and  
PLATINUM PARTNERS VALUE ARBITRAGE  
FUND L.P. (in Official Liquidation),

Plaintiffs,

-v-

PLATINUM MANAGEMENT (NY) LLC,  
et al.,

Defendants.

Master Docket No. 1:18-cv-06658-JSR

Case No. 1:18-cv-10936-JSR

**MURRAY HUBERFELD'S RESPONSES AND OBJECTIONS TO  
PLAINTIFFS' REQUESTS FOR ADMISSION**

Defendant Murray Huberfeld (“Huberfeld”), by his undersigned attorneys, responds and objects as follows to Plaintiffs Martin Trott and Christopher Smith, as Joint Official Liquidators and Foreign Representatives of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) and Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) (together, “Plaintiffs”) requests for admission, dated November 30, 2019 (the “Requests”).

**Preliminary Statement**

1. The following responses are submitted solely on behalf of Huberfeld and no other party.

**Response:** Huberfeld admits that, at certain times, the Mark Nordlicht Grantor Trust provided Grosser Lane Management LLC with a 24.999% Economically Equivalent Membership Interest, as that term is defined in the Mark Nordlicht Grantor Trust, in Platinum Management.

9. Admit that the Mark Nordlicht Grantor Trust provides Manor Lane Management LLC with a 24.999% Economically Equivalent Membership Interest, as that term is defined in the Mark Nordlicht Grantor Trust, in Platinum Management.

**Response:** Huberfeld admits that, at certain times, the Mark Nordlicht Grantor Trust provided Manor Lane Management LLC with a 24.999% Economically Equivalent Membership Interest, as that term is defined in the Mark Nordlicht Grantor Trust, in Platinum Management.

10. Admit that the members of Grosser Lane Management LLC are David Bodner and Naomi Bodner.

**Response:** Huberfeld lacks sufficient knowledge or information to admit or deny this Request, and states that he has made reasonable inquiry and that the information he knows or can readily obtain is insufficient to enable him to admit or deny this Request.

11. Admit that the members of Manor Lane Management LLC are Murray Huberfeld and Laura Huberfeld.

**Response:** Denied.

12. Admit that Grosser Lane Management LLC and Manor Lane Management LLC received payments from Mark Nordlicht Grantor Trust on account of their Economically

Equivalent Membership Interest, as that term is defined in the Mark Nordlicht Grantor Trust, in Platinum Management.

**Response:** Huberfeld admits that Manor Lane Management LLC “received payments from Mark Nordlicht Grantor Trust on account of their Economically Equivalent Membership Interest, as that term is defined in the Mark Nordlicht Grantor Trust, in Platinum Management” in 2012 (to account for fees earned in 2011), 2013 (to account for fees earned in 2012), and 2014 (to account for fees earned in 2013). Huberfeld lacks sufficient knowledge or information to admit or deny this Request as it relates to Grosser Lane Management LLC, and states that he has made reasonable inquiry and that the information he knows or can readily obtain is insufficient to enable him to admit or deny this Request.

13. Admit that on March 3, 2014, the Correction Officers’ Benevolent Association transferred \$10,000,000 to a bank account maintained by Platinum Management in connection with an investment in the Offshore Feeder Fund.

**Response:** At this time, Huberfeld declines to answer this Request and exercises his rights pursuant to the Fifth Amendment privilege.

14. Admit that on March 4, 2014, a bank account in the name of the Mark Nordlicht Grantor Trust transferred \$1,800,000.00 in funds to a bank account in the name of Manor Lane Management LLC.

**Response:** At this time, Huberfeld declines to answer this Request and exercises his rights pursuant to the Fifth Amendment privilege.